

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(SOUTHERN DIVISION)**

CHARLES PUGH

*

and

*

VERONICA STEWART

*

On Their Own Behalf and on Behalf of All
Others Similarly Situated,

*

Civil Action No.: _____

Plaintiffs

*

(Removed from the Circuit Court
for Montgomery County,

v.

*

Case No.: C-15-CV-22-000593)

CIOX HEALTH, LLC

*

and

*

PETER McCABE

*

Defendants

*

* * * * *

**DECLARATION OF PAGE KNOTT IN SUPPORT OF
DEFENDANT CIOX HEALTH, LLC'S NOTICE OF REMOVAL**

I, Page Knott, declare pursuant to 28 U.S.C. § 1746:

1. I am over the age of 18 years and competent to testify regarding the matters contained herein.

2. I am currently employed by Defendant Ciox Health, LLC ("Ciox") as the Vice President of Operations, and I am knowledgeable of the volume of requests for copies of medical records fulfilled by Ciox on behalf of Maryland healthcare facilities with whom it contracts (the "Maryland Facilities") and the fees charged for fulfilling such requests.

3. I base this declaration upon my personal knowledge and review of Ciox's records kept in the ordinary course of business, as well as my review of the complaint in this case which has been provided to me by counsel for Ciox.

4. I am authorized to make this declaration on behalf of Ciox do so in conjunction with Ciox's Notice of Removal.

5. To the best of Ciox's knowledge based on currently available information, between February 3, 2010 and February 3, 2022, Ciox fulfilled at least 100,000 requests made to the Maryland Facilities in which a "Basic Fee" was charged after searching the medical records of the Maryland Facilities and determining that there were no records responsive to the requests. The total value of these charges exceeds \$2,000,000.

6. To the best of Ciox's knowledge based on currently available information, between February 3, 2010 and February 3, 2022, Ciox fulfilled at least 450,000 requests made to the Maryland Facilities in which an "Electronic Data Archive Fee" and/or any other electronic delivery and/or archive fee was charged. The total value of these charges exceeds \$1,100,000.

7. To the best of Ciox's knowledge based on currently available information, between February 3, 2010 and February 3, 2022, Ciox fulfilled at least 45,000 requests made to the Maryland Facilities in which a "Retrieval Fee" was charged. The total value of these charges exceeds \$300,000.

8. As of October 1, 2016, Maryland's Confidentiality of Medical Records Act, Md. Code, Health-Gen. §4-304 (the "Statute") was amended to, among other things, set distinct per-page fees permissible for providing a copy of a medical record in paper format and providing an electronic copy of a medical record maintained by the healthcare facility in electronic format.

9. To the best of Ciox's knowledge based on currently available information, between October 1, 2016 and February 3, 2021, Ciox fulfilled at least 25,000 requests made to the Maryland Facilities for electronic copies of medical records maintained by the Maryland Facilities in electronic format in which the total per-page fees charged exceeded \$80.00. The total value of those charges that were in excess of \$80.00 exceeds \$1,700,000.

On this day, March 11, 2022, I declare under penalty of perjury that the foregoing is true and correct.



Page Knott
Vice President Operations
Ciox Health, LLC